

## Testimony of the Human Trafficking Prevention Project

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<b>BILL NO:</b>	House Bill 113
<b>TITLE:</b>	Criminal Procedure – Expungement of Records – Resisting Arrest and Making False Statement to a Law Enforcement Officer
<b>COMMITTEE:</b>	Judiciary
<b>HEARING DATE:</b>	March 3, 2026
<b>POSITION:</b>	<b>FAVORABLE</b>

[The Human Trafficking Prevention Project](#) (“HTPP”) is dedicated to ending the criminalization of sex workers, survivors of human trafficking, and those populations put at highest risk of exploitation through access to civil legal services and support for policies that dismantle harmful systems and increase access to basic human rights and legal relief. **The HTPP supports House Bill 113.**

House Bill 113 will add convictions for resisting arrest (§ 9–408), making a false statement to a law enforcement officer (§ 9–501), and making a false statement to a law enforcement officer when under arrest (§ 9–502) to the list of misdemeanor convictions eligible under MD. CRIM. PRO. § 10-110. At the HTPP, we frequently work with survivors of human trafficking who have been forced to commit criminal acts by their traffickers. One of the most common ways these perpetrators both insulate themselves against detection by law enforcement and detach their victims from their former “straight” identities is by forcing their victims to use aliases. This commonly results in charges for making a false statement to a law enforcement officer, which is not currently eligible for expungement.

Additionally, our clients have universally experienced trauma, regardless of whether that trauma has come from surviving trafficking. As a result, many of them have resisting arrest charges on their records, which is typically linked to a fear response that comes in reaction to being “locked up.” When any human being is faced with an experience that is perceived as being life-threatening, an uncontrollable physiological response occurs whereby the individual being threatened will attempt to either [fight, flee, freeze, or fawn](#) their way out of the situation. In individuals who experience *chronic trauma* however, like the majority of HTPP clients have, [their “survival radar” becomes far too sensitive](#), and they often perceive a life-threatening situation where there is none, causing them to react in a far more extreme manner than the situation warrants. So while being arrested is indeed a frightening experience, for people who have experienced trauma it can be perceived as far more dangerous than that, causing them to fight back against the law enforcement officer seeking to take them into custody.

House Bill 113 would provide criminalized survivors with an opportunity to petition the court for expungement of these particular convictions, as long as they are able to meet the other criteria of the expungement statute such as the waiting period and the subsequent conviction rule. For criminalized survivors, the inclusion of these two stigmatizing convictions would be a lifesaving opportunity and a critical bridge for these crime victims as they try to move on with their lives after violence and trauma. **For these reasons, the Human Trafficking Prevention Project supports House Bill 113 and respectfully urges a favorable report.**

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